



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

2009 JUN 25 PM 1:39

Ref: 8ENF-W

JUN 29 2009

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Richard Opper, Director  
Montana Department of  
Environmental Quality  
1520 E. Sixth Avenue  
P.O. Box 200901  
Helena, MT 59620-0901

Re: NOTICE OF VIOLATION

Docket No. **SDWA-08-2009-0052**  
Shady Nook Trailer Court  
2035 Selway Drive  
Dillon, MT 59725  
PWS ID# MT0002484

Dear Mr. Opper:

The public water supply system referenced above (the system) has violated certain provisions of the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (the drinking water regulations) and ARM 17.38.215(a), according to records that the United States Environmental Protection Agency (EPA) has obtained from the Montana Department of Environmental Quality's Public Water Supply Online Query Reports.

EPA promulgated the drinking water regulations under the authority of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f *et seq.* EPA is issuing this notice of violation pursuant to section 1414(a) of the Act, 42 U.S.C. § 300g-3(a), which authorizes EPA to issue an administrative compliance order or file a lawsuit concerning the system if the State of Montana (the State) does not commence an appropriate enforcement action within thirty days of receiving this notice.

EPA issued a prior notice of violation and administrative order regarding this water system on February 6, 2009 and March 17, 2009,

respectively. However, EPA has since learned that the water system changed ownership in January 2008. Therefore this notice of violation and subsequent administrative order are/will be sent to the new owner.

The violations are listed in the table below.

<u>Date of Violation</u>	<u>Violation</u>
May 2008, July 2008, October 2008, January 2009, and April 2009	Failure to monitor for bacteriological quality. [40 C.F.R. § 141.21(a)]
2009	Failure to notify public of various above referenced violations. [40 C.F.R. § 141.201]
2008 and 2009	Failure to report the above-referenced violations to the State. [40 C.F.R. §§ 141.21(g)(2) and 141.31(b)]

EPA is also sending a copy of this notice of violation to the system. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to this situation. SBREFA does not eliminate the responsibility to comply with the drinking water regulations. By providing this information sheet, EPA has not necessarily determined that the system is in fact a "small entity" as that term is defined in SBREFA.

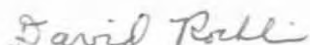
If the State does not commence an appropriate enforcement action concerning this system within 30 days from your receipt of the notification, EPA will likely issue an administrative order to the owner and/or operator of the system.

Please have your staff notify Kimberly Pardue Welch within 20 days if your records show any discrepancies with the violations cited above, if your staff learns of any change in the system's compliance status, or if there are any questions or comments. Thank you for your assistance.

Sincerely,



Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



David Rochlin, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: Kevin Button, Registered Agent, Royal Enterprise LLC (via certified mail)  
John Arrigo, MT DEQ (w/o enclosures)  
Shelley Nolan, MT DEQ (w/o enclosures)  
Tina Artemis, EPA Regional Hearing Clerk